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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/627,474   | 07/25/2003  | Yoshiyuki Taki       | 1232-5085           | 3260             |
| 27123  | 7590        | 09/07/2004           |                     | EXAMINER         |
| MORGAN & FINNEGAN, L.L.P.<br>3 WORLD FINANCIAL CENTER<br>NEW YORK, NY 10281-2101 |             |                      | STULTZ, JESSICA T   |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2873                |                  |

DATE MAILED: 09/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                  |                 |
|------------------------------|------------------|-----------------|
| <b>Office Action Summary</b> | Application No.  | Applicant(s)    |
|                              | 10/627,474       | TAKI, YOSHIYUKI |
|                              | Examiner         | Art Unit        |
|                              | Jessica T Stultz | 2873            |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-12 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1-3,5 and 10-12 is/are rejected.  
 7) Claim(s) 4 and 6-9 is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 25 July 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Harada.

Regarding claim 1, Harada discloses an image taking lens system (Abstract, wherein the lens system is a photographic lens system), provided in succession from an object side to an image side, with: a first lens unit adapted to be not moved for focusing (Column 4, lines 44-61, wherein the first lens unit “L1” remains stationary during focusing, Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B); a second lens unit adapted to be moved to the image side in case of focusing from an infinity object to a short-distance object (Column 4, lines 44-61, wherein the second lens unit “L2” moves toward the image side during focusing, Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B); a third lens unit adapted to be moved to the object side in case of the focusing from the infinity object to the short-distance object (Column 4, lines 44-61, wherein the third lens unit “L3” moves towards the object side during focusing, Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B); and a fourth lens unit (Column 4, lines 44-61, wherein the fourth lens unit is “L4”, Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B); wherein it appears that the principal point interval between the first lens unit and the second lens unit is a negative value (Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B). Regardless, it is inherent that the principal point interval between the first lens unit

and the second lens unit is a negative value; this being reasonably based upon the similarity is structure between Harada and the claimed invention (Shown in Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B).

Regarding claim 3, Harada further disclose that the photographing magnification for a closest range object is -0.5 or less (Columns 13-14, Tables for Examples 6-9).

Regarding claim 5, Harada further discloses that the claimed conditions are met regarding the focal length of the third lens unit and the focal length of the entire lens system (Column 11, lines 22-36, wherein the focal length of the third unit divided by the focal length of the entire system falls within the claimed range, Equation 9).

Regarding claim 10, Harada further discloses that the claimed condition are met regarding the maximum movement of the second lens unit and the maximum movement of the third lens unit (Column 5, lines 36-67, Equation 5 and Column 12, lines 17-26, Equation 10).

Regarding claim 11, Harada discloses an image taking lens system (Abstract, wherein the lens system is a photographic lens system), provided with: a first lens unit (Column 4, lines 44-61, wherein the first lens unit is "L1", Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B); a second lens unit (Column 4, lines 44-61, wherein the second lens unit is "L2", Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B); a third lens unit (Column 4, lines 44-61, wherein the third lens unit is "L3", Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B); and a fourth lens unit (Column 4, lines 44-61, wherein the fourth lens unit is "L4", Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B); wherein in case of focusing (Column 4, lines 44-61, wherein the focusing of the lens system is described), the image taking lens system is changed in an interval between the first lens unit and the second lens unit (Column 4, lines 44-61, wherein the interval between the first and second lens unit is

changed by moving the second lens unit “L2” while the first lens unit “L1” remains stationary, Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B), an interval between the second lens unit and the thirds lens unit (Column 4, lines 44-61, wherein the interval between the second and third lens unit is changed by moving the second lens unit “L2” and the third lens unit “L3” towards each other, Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B), and an interval between the third lens unit and the fourth lens unit (Column 4, lines 44-61, wherein the interval between the third and fourth lens unit is changed by moving the third lens unit “L3”, Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B), the photographing magnification of the image taking lens system for a closest range object is -0.5 time or less (Columns 13-14, Tables for Examples 6-9), and wherein it appears that the principal point interval between the first lens unit and the second lens unit is a negative value (Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B). Regardless, it is inherent that the principal point interval between the first lens unit and the second lens unit is a negative value, this being reasonably based upon the similarity is structure between Harada and the claimed invention (Shown in Figures 1A-B, 2A-B, 3A-B, 4A-B and 5A-B).

Regarding claims 2 and 12, Harada further discloses that the first lens unit has positive optical power (Column 4, lines 9-18, wherein the first lens unit “L1” has positive power, 1A-B, 2A-B, 3A-B, 4A-B and 5A-B), the second lens unit has negative optical power (Column 4, lines 9-18, wherein the second lens unit “L2” has negative power, 1A-B, 2A-B, 3A-B, 4A-B and 5A-B), the third lens unit has positive optical power (Column 4, lines 9-18, wherein the third lens unit “L3” has positive power, 1A-B, 2A-B, 3A-B, 4A-B and 5A-B), and the fourth lens unit has negative optical power (Column 4, lines 9-18, wherein the fourth lens unit “L4” has negative power, 1A-B, 2A-B, 3A-B, 4A-B and 5A-B).

***Allowable Subject Matter***

Claims 4 and 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowable subject matter: none of the prior art alone or in combination disclose or teach of the claimed combination of limitations to warrant a rejection under 35 USC 102 or 103.

Specifically regarding claim 6, none of the prior art alone or in combination disclose or teach of the claimed lens system specifically wherein the first lens element of the first lens unit is a meniscus-shaped negative lens element whose focal length falls within the claimed range.

Specifically regarding claims 4 and 7-9, none of the prior art alone or in combination disclose or teach of the claimed lens system specifically wherein the ratios of the focal lengths of the lens elements in the lens system fall within the claimed range.

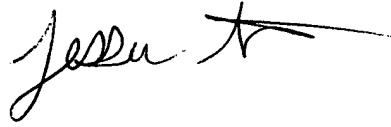
***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yoneyama and Sato are cited as being some similar structure to the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica T Stultz whose telephone number is (571) 272-2339. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jessica Stultz  
Patent Examiner  
AU 2873  
September 2, 2004

  
JORDAN SCHWARTZ  
PRIMARY EXAMINER